

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MICHAEL A. SULLIVAN,

4:15CV3014

Plaintiff,

V.

**MEMORANDUM  
AND ORDER**

SARPY COUNTY JAIL, JEFF

DAVIS, Sheriff, GREG LONDON,

Captain, JUNE WESTLAND, Nurse,

PAMELA REINKE, Nurse, and

DOCTOR DREESEN, Jail Physician,

Defendants.

Plaintiff Michael Sullivan filed a Notice of Appeal (Filing No. [38](#)) and Motion for Leave to Proceed in Forma Pauperis on Appeal (Filing No. [39](#)). The court advises Plaintiff that the filing of a notice of appeal will make him liable for payment of the full \$505.00 appellate filing fee regardless of the outcome of the appeal. This is because the Prison Litigation Reform Act requires an incarcerated civil appellant to pay the full amount of the \$505.00 appellate filing fee by making monthly payments to the court, even if he or she is proceeding in forma pauperis. 28 U.S.C. § 1915(b). By filing a notice of appeal, Plaintiff will consent to the deduction of the \$505.00 filing fee from his prison account by prison officials. Accordingly,

IT IS ORDERED:

1. If Plaintiff wishes to withdraw his Notice of Appeal (Filing No. [38](#)) and Motion for Leave to Proceed in Forma Pauperis on Appeal (Filing No. [39](#)), Plaintiff must inform the court of such withdrawal within 10 days of the date of this order.

2. This court will begin preliminary processing of Plaintiff's appeal by ordering from Plaintiff's institution a trust account statement reflecting Plaintiff's account activity and balance for the past six months.

3. The clerk of the court is directed to order from Plaintiff's correctional institution a trust account statement reflecting Plaintiff's account activity and balance for the past six months.

DATED February 26, 2016.

BY THE COURT:

s/ *Richard G. Kopf*  
Senior United States District Judge